

LABOR COMPLIANCE PROGRAM ANNUAL REPORT

Format for Approved Program that contracts with Awarding Bodies to provide labor compliance enforcement

Report for the reporting period 07/01/2010 to 06/30/2011
(mm/dd/yyyy) (mm/dd/yyyy)

1. Name of Labor Compliance Program (LCP): Perceptive Enterprises, Inc. (PEI)

2. LCP I.D. Number (assigned by DIR): 2003.00209

3. Date of Initial Approval: May 27, 2003

4. Contact person (include name, title, address, telephone, fax, and e-mail, if available):

Mr. Joseph Adams, President
844 Colorado Boulevard Suite 204, Los Angeles, CA 90041
Office: (323) 254-5000 Fax: (323) 254-5000
E-mail: j.adams@perceptivelcp.com

5. List all Awarding Bodies covered by this report as well as any other Awarding Bodies with whom the LCP currently has a contract to provide compliance enforcement. If *none*, please proceed directly to item 7 and provide all requested information. Then complete the information below, and sign and submit this form to DIR, Office of the Director, Attn: LCP Special Assistant 455 Golden Gate Avenue, 10th Floor, San Francisco, CA 94102.

PEI acted as a LCP Third Party Administrator for the following: Montebello Unified School District, Los Angeles County Office of Education, City of Rosemead Public Works.

PEI provided LCP Consultant Services for the following district's LCPs: Los Angeles Unified School District, and California State University.

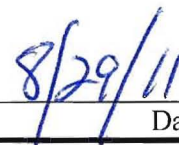
What suggestions do you have for the Department of Industrial Relations to better assist you with your program in the coming year? (attach additional sheets if necessary):

Perceptive Enterprises, Inc. has no suggestions at this time.

SUBMITTED BY:


Signature

Joseph Adams, President
Name and Title


Date

6. LC § 1771.5 enforcement activities (provide all information requested, attaching as many sheets as necessary, and *please complete separate forms for each Awarding Body covered in this report*).

Awarding Body: Montebello Unified School District

A. List projects handled by LCP within the past 12 months.

Project Name	Bid Advertisement Date	Prime Contractor	Contract Amount
Applied Technology Center Bid No. 1(09-10)	January 6, 2010 (contract signed date)	DJM Construction Co. Inc.	\$24,167,000.00
Building Addition at Joseph Gascon Elementary School, Bid No. 07(09-10)	September 10, 2009	Paul C. Miller Construction Co., Inc.	\$7,980,000.00
Relocation of Three Modular Classroom Buildings for Adult Education at Schurr High School, Bid No. 21(10-11)	June 17, 2010	Rocco Enterprises	\$375,688.00
New Aquatic Center at Schurr High School, Bid No. 20(10-11)	August 12, 2010	Construct 1 One Corp.	\$2,893,149.00
New Fire Alarm at Winter Gardens Elementary School, Bid No. 23(10-11)	June 24, 2010	Masco Electric, Inc.	\$745,000.00
Manufacturing Academy Renovation at Schurr High School, Bid No. 10(10-11)	February 3, 2011	GDL Best Contractors, Inc.	\$662,400.00
New Fire Alarm at Greenwood Elementary School, Bid No. 05(10-11)	January 13, 2011	Masco Electric, Inc.	\$658,872.00
New Grass Field, Irrigation and Drainage at Rosewood Park School, Bid No. 13(10-11)	March 3, 2011	STL Landscape, Inc.	\$88,000.00
Portable Classroom Demolition and Relocation at Montebello Intermediate School, Bid No. 17(10-11)	April 21, 2011	Chap, Inc.	\$97,000.00
Total			\$37,734,045.00

B. Summary of all wages and penalties assessed and/or recovered.

LCP-AR3

Project Name	Affected Contractor (who directly employed the worker)	Amount Assessed	Amount Recovered	Approval of Forfeiture Requested from Labor Commissioner?	Description of Violation
Applied Technology Center	Clear Water Service, Inc.	\$86.00	\$86.00	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Underpayment of prevailing wage rate.
Applied Technology Center	CB&I Inc.	\$195.59	\$195.59	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Underpayment of prevailing wage rate.
Building Addition at Joseph Gascon Elementary School, Bid No. 07(09-10)	Time & Alarm Systems	\$3.28	\$3.28	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Underpayment of prevailing wage rate.
Relocation of Three Modular Classroom Buildings for Adult Education at Schurr High School, Bid No. 21(10-11)	Saber Electric Company	\$8,611.44	\$8,611.44	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Underpayment of prevailing wage rate.
Total		\$8,896.31	\$8,896.31		

C. For any amount identified in item B for which approval of forfeiture not requested from the Labor Commissioner, please explain below.

Project Name	Amount Assessed	Amount Recovered	Explanation
Applied Technology Center	\$86.00	\$86.00	Good faith mistake promptly and voluntarily corrected by contractor.
Applied Technology Center	\$195.59	\$195.59	Good faith mistake promptly and voluntarily corrected by contractor.
Building Addition at Joseph Gascon Elementary School, Bid No. 07(09-10)	\$3.28	\$3.28	Good faith mistake promptly and voluntarily corrected by contractor.
Total	\$284.87	\$284.87	

D. For any amount identified in item B for which approval of forfeiture was requested from the Labor Commissioner, please provide the following:

Project Name	LC § 1776(g)	Amount LC § 1775	Assessed LC § 1813	Wages	Total	LC § 1776(g)	Amount LC § 1775	Recovered LC § 1813	Wages	Total
Relocation of Three Modular Classroom Buildings for Adult Education at Schurr High School, Bid		\$ 720.00		\$7,891.44	\$8,611.44		\$ 720.00		\$7,891.44	\$8,611.44

LCP-AR3

No. 21(10-11)										
Total		\$ 720.00		\$7,891.44	\$8,611.44		\$ 720.00		\$7,891.44	\$8,611.44

E. Identify cases that are or were the subject of LC § 1742 proceedings.

Project Name	Contractor	Nature of Violation	ODL Case #	Current Status

F. Did you refer any contractor to the Labor Commissioner for debarment per LC § 1777.1?

Please check one: ☐ Yes ☒ No

If yes, identify affected contractor(s) or subcontractor(s) and date(s) of referral: _____

G. Did you refer any apprenticeship violation to the Division of Apprenticeship Standards (DAS)?

Please check one: ☒ Yes ☐ No

If yes, identify affected contractor(s) or subcontractor(s) and date(s) of referral: Guardian Fence, Inc. 02/22/11
Jesmar Construction 02/22/11

LCP-AR3

6. LC § 1771.5 enforcement activities (provide all information requested, attaching as many sheets as necessary, and *please complete separate forms for each Awarding Body covered in this report*).

Awarding Body: Los Angeles County Office of Education

A. List projects handled by LCP within the past 12 months.

Project Name	Bid Advertisement Date	Prime Contractor	Contract Amount
Purchase and delivery of five (5) modular building for the modernization project at Jonas Salk School, Contract No. 063595	September 17, 2008	American Modular Systems	\$289,200.00
New Construction and Modular Building Site Work at Jonas Salk School, Bid No. 1397-09/10, Contract No. 072786	August 20, 2009	Norm Wilson & Sons, Inc.	\$2,557,905.00
Modernization Project at Lincoln School, Bid No. 1420-10/11	January 7, 2011	Minako America Corporation dba Minco Construction	\$1,978,700.00
Los Angeles County High School for the Arts, Bid No. 1423/10-11 & Bid No. 1423R-10/11	August 9, 2010 & October 26, 2010	Bernards (Construction Manager)	\$17,565,211.00
Total			\$22,391,016.00

B. Summary of all wages and penalties assessed and/or recovered.

Project Name	Affected Contractor (who directly employed the worker)	Amount Assessed	Amount Recovered	Approval of Forfeiture Requested from Labor Commissioner?	Description of Violation
New Construction and Modular Building Site Work at Jonas Salk School, Bid No. 1397-09/10, Contract No. 072786	Earth Basics Contractor Corporation	\$308.31	\$308.31	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Underpayment of prevailing wage rate.
New Construction and Modular Building Site Work at Jonas Salk School, Bid No. 1397-09/10, Contract No. 072786	Mundy Electric	\$1,541.51	\$1,541.51	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Underpayment of prevailing wage rate.
New Construction and Modular Building Site Work at Jonas	Pointe Construction, Inc.	\$18.24	\$18.24	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Underpayment of prevailing wage rate.

LCP-AR3

Salk School, Bid No. 1397-09/10, Contract No. 072786					
Modernization Project at Lincoln School, Bid No. 1420-10/11	Minako America Corporation dba Minco Construction	\$297.50	\$297.50	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Underpayment of prevailing wage rate.
Total		\$2,165.56	\$2,165.56		

C. For any amount identified in item B for which approval of forfeiture not requested from the Labor Commissioner, please explain below.

Project Name	Amount Assessed	Amount Recovered	Explanation
New Construction and Modular Building Site Work at Jonas Salk School, Bid No. 1397	\$308.31	\$308.31	Good faith mistake promptly and voluntarily corrected by contractor.
New Construction and Modular Building Site Work at Jonas Salk School, Bid No. 1397	\$1,541.51	\$1,541.51	Good faith mistake promptly and voluntarily corrected by contractor.
New Construction and Modular Building Site Work at Jonas Salk School, Bid No. 1397	\$18.24	\$18.24	Good faith mistake promptly and voluntarily corrected by contractor.
Modernization Project at Lincoln School, Bid No. 1420	\$297.50	\$297.50	Good faith mistake promptly and voluntarily corrected by contractor.
Total	\$2,165.56	\$2,165.56	

D. For any amount identified in item B for which approval of forfeiture was requested from the Labor Commissioner, please provide the following:

Project		Amount	Assessed				Amount	Recovered		
Name	LC §1776(g)	LC § 1775	LC § 1813	Wages	Total	LC § 1776(g)	LC § 1775	LC § 1813	Wages	Total
Total										

E. Identify cases that are or were the subject of LC § 1742 proceedings.

Project Name	Contractor	Nature of Violation	ODL Case #	Current Status
--------------	------------	---------------------	------------	----------------

LCP-AR3

F. Did you refer any contractor to the Labor Commissioner for debarment per LC § 1777.1?

Please check one:

☐ Yes

☒ No

If yes, identify affected contractor(s) or subcontractor(s) and date(s) of referral: _____

G. Did you refer any apprenticeship violation to the Division of Apprenticeship Standards (DAS)?

Please check one:

☐ Yes

☒ No

If yes, identify affected contractor(s) or subcontractor(s) and date(s) of referral: _____

LCP-AR3

6. LC § 1771.5 enforcement activities (provide all information requested, attaching as many sheets as necessary, and *please complete separate forms for each Awarding Body covered in this report*).

Awarding Body: City of Rosemead Public Works

A. List projects handled by LCP within the past 12 months.

Project Name	Bid Advertisement Date	Prime Contractor	Contract Amount
Garvey Park Aquatic Facility	October 7, 2010	Cyrcon Builders, LP	\$2,713,853.00
Total			\$2,713,853.00

B. Summary of all wages and penalties assessed and/or recovered.

Project Name	Affected Contractor (who directly employed the worker)	Amount Assessed	Amount Recovered	Approval of Forfeiture Requested from Labor Commissioner?	Description of Violation
				<input type="checkbox"/> Yes <input type="checkbox"/> No	
				<input type="checkbox"/> Yes <input type="checkbox"/> No	
				<input type="checkbox"/> Yes <input type="checkbox"/> No	
				<input type="checkbox"/> Yes <input type="checkbox"/> No	
				<input type="checkbox"/> Yes <input type="checkbox"/> No	
				<input type="checkbox"/> Yes <input type="checkbox"/> No	
Total					

C. For any amount identified in item B for which approval of forfeiture not requested from the Labor Commissioner, please explain below.

Project Name	Amount Assessed	Amount Recovered	Explanation

LCP-AR3

Total			
-------	--	--	--

D. For any amount identified in item B for which approval of forfeiture was requested from the Labor Commissioner, please provide the following:

Project		Amount	Assessed				Amount	Recovered		
Name	LC §1776(g)	LC § 1775	LC § 1813	Wages	Total	LC § 1776(g)	LC § 1775	LC § 1813	Wages	Total
Total										

E. Identify cases that are or were the subject of LC § 1742 proceedings.

Project Name	Contractor	Nature of Violation	ODL Case #	Current Status

F. Did you refer any contractor to the Labor Commissioner for debarment per LC § 1777.1?

Please check one: ☐ Yes ☒ No

If yes, identify affected contractor(s) or subcontractor(s) and date(s) of referral: _____

G. Did you refer any apprenticeship violation to the Division of Apprenticeship Standards (DAS)?

Please check one: ☐ Yes ☒ No

If yes, identify affected contractor(s) or subcontractor(s) and date(s) of referral: _____

LCP-AR3

7. On a separate sheet, provide a certificate of compliance with conflict of interest disclosure requirements by employees and consultants who participate in making governmental decisions (as defined under 2 CCR § 18701) along with the names of LCP personnel who are filing disclosure statements and the agencies with which those statements are being filed.

8. Please update the following information per 8 CCR § 16426(a)(2), (3) and (5) disclosure requirement.

A. Identify the geographical areas in which the program intends to operate and the identity of any public agencies not previously identified in this report with which the program intends to contract to provide labor compliance enforcement.

Perceptive Enterprises, Inc. (PEI) intends to operate throughout the State of California.

B. State whether the entity shares personnel, management, ownership or other close affiliation with any of the following: (1) any contractor or subcontractor that within the preceding five years has been awarded a public works contract within the geographical area in which the program operates or intends to operate or with any public agency with which the program has contracted or intends to contract to provide labor compliance enforcement; (2) any person or entity who has been the surety on such a contract; (3) any joint labor-management committee established pursuant to the Federal Labor Management Cooperation Act of 1978 (section 175a of Title 29 of the United States Code); or (4) any person or entity who has represented workers employed in the same or similar classifications as those employed for such a contract and who has been engaged in (i) an organizational campaign under the National Labor Relations Act with contractors competing for such contracts or (ii) a jurisdictional dispute with another collective bargaining representative of workers utilized for such contracts.

For each affiliation, please provide the name, address, telephone number, and principal contact person for the person or entity; please identify shared personnel, management, and ownership; and if applicable, please provide a short description of the nature and extent of any other close affiliation:

PEI does not share personnel, management, ownership or have a close affiliation with any (1) contractor or subcontractor, (2) surety on a contract, (3) joint labor-management committee, or (4) entity who has represented workers employed in the same or similar classifications as those employed for such a contract and who has been engaged in (i) an organizational campaign under the National Labor Relations Act with contractors competing for such contracts or (ii) a jurisdictional dispute with another collective bargaining representative of workers utilized for such contracts.

C. Identify the attorney or law firm available to provide legal support for the LCP, and whether the persons or firms providing that support also represent any contractor, subcontractor, surety, or worker representative referred to in the preceding item.

Attorney/Law Firm Name (include address, contact person, and telephone number)

Mr. Chad T. Wishchuk

Attorney at Law: Marks, Golia & Finch, LLP

8620 Spectrum Center Blvd., Suite 900

San Diego, CA 92123-1454

(858) 737-3100

cwishchuk@mgflp.com